









[illegible]

very ignorant of the precise grounds on which the Committee of the Privy Council reported that there was sufficient cause for your amotion from office, Lord Grey desires me to observe, that he knows nothing on the subject upon which he is stated in the order of his Majesty in Council, of which a copy has already been transmitted to you, and which it was his duty to carry into effect. I have, &c.

To John Walpole Willis, Esq.,  
Esq., &c.

Post Office, Bognor, Sussex,  
12th September, 1846.

My Lord,—On the 4th instant I did myself the honour to write to Mr. Under Secretary Hawes, requesting that he might be informed if, by your lordship's refusal to receive a notification of office, and insisting on a revocation of my commission, or in the terms in which this was conveyed to me by the official letter of 25th ult., any imputation would be intended to be cast on my personal honour and integrity; and in such case I most respectfully entreated that the precise grounds on which any such imputation rested, might be immediately made known to me, so that I might be enabled respectfully to inquire, if my former long and arduous services, pecuniary sacrifice, and loss of health, would meet with any consideration? To this letter I have not hitherto been favoured with an answer.

The Judge Advocate General, when at the bar, was of counsel for me throughout my appeal, and has kindly written to say that "he thinks I have a perfect right, when removed from office, to set at naught the order of his Majesty, inasmuch as it is not on account of anything derogatory to my honour and integrity; he thinks if I were to write to Lord Grey, or Mr. Hawes, asking for the expression of such an opinion, I should be doing so to the best advantage of my cause, and might make use of it." Mr. C. Buller adds, "as so thoroughly conversant with your whole case, I am bound to give my assurance that nothing in the course of the charges against you concerned any stain to your honour and integrity."

Under these circumstances I beg leave to solicit from your Lordship such information as I have already asked for from Mr. Under Secretary, so as to be intended to be put in writing to him in my letter of the 25th of August.

I have, &c.,

JOHN WALPOLE WILLIS.  
The Right Honourable the Earl Grey, Esq., &c.

Downing-street, 12th September, 1846.

Sir,—I am directed by Mr. Under Secretary to acknowledge the receipt of your letter of the 12th instant, and to state that my letter of the 16th instant will be found to comprise the only answer which it is in his Lordship's power to make to the enquiry which you have now repeated. I regret that in consequence of my absence for a short time from this office the transmission of my last letter to you was retarded till the 16th instant. I have, &c.

B. HAWES.

John Walpole Willis, Esq.,  
Esq., &c., &c.

Bognor, 17th September, 1846.

Sir,—I give me the greatest satisfaction to find by your letter of the 16th instant, that no stain has been intended to be cast on my personal honour, by your communication of the 26th August.

As my enquiry, whether my former acknowledged services, pecuniary sacrifices, and loss of health, would meet with any consideration, seems to have escaped your observation, I take leave, most respectfully, to recal this subject to your notice.

On the hearing of my appeal it was distinctly announced verbally to me, that I sought no restoration to office; but on the contrary, the circumstances I have alluded to were most strongly urged with a view to some provision for the future. Some recognition of my former services would in such a case be useful to me. I regret exceedingly that Earl Grey knows nothing of my case beyond what is stated in the Order of Her Majesty in Council of the 15th of August; for without presuming to question the wisdom of the decision of a high Court as that of the Judicial Committee of Her Majesty's Privy Council, it does appear to me not to be in accordance with the general usage of the British Government, to have kept in ignorance of the precise grounds for his condemnation and punishment, more especially as the present case it is admitted by the late Governor of New South Wales, in his Despatch of the 19th June, that my amotion from office was not for any specific act, nor for any precise number of (what he terms) improper acts. The cumulative treason, imputed upon in Lord Stafford's case, has ever since been the ground of punishment in the recent case of Mr. O'Connell, the judgment of the Court of Queen's Bench in Ireland was reversed by the House of Lords, because the counts in the indictment on which the punishment was awarded were not all proved to be specified; many of the charges (such for instance, as the first and most prominent, that of punishing Mr. Arden for contempt,) brought forward to justify my illegal amotion from office by the Colonial Government of New South Wales, appeared to be admitted by the Court, on the hearing of my appeal, to be altogether futile; and yet the Report does not contain, nor have I been able to obtain, any specification of the grounds for my condemnation.

Under these circumstances I very humbly trust I may yet venture to hope my former long and faithful services will not be now entirely disregarded.

JOHN WALPOLE WILLIS.  
To Mr. Under Secretary Hawes, M.P.

Downing-street, 3rd October, 1846.

Sir,—With reference to my letter of the 21st ult. I am now directed to acquaint you that Earl Grey has been directed to answer the note which you addressed to him on the 17th, wherein you refer to your recent amotion from office held by you in New South Wales, and where you have a hope of your former long and faithful service will not be entirely disregarded.

Lord Grey understands your application as, in effect, a request that some pension, or retired allowance should be assigned to you on account of your past public services. It is with regard to this request that I am directed to state that he can hold out to you no prospect of a compliance with that request.

For services rendered by her Majesty's officers in the Colonies, it is impossible to grant any retired allowance (payable out of the revenue of this Kingdom; your services in Guiana were too short to entitle you to any such allowance from the treasury of this Kingdom; your services in the Colonies and in New South Wales were, unfortunately, brought to a close under circumstances which most absolutely prohibit the attempt to subject to such a payment the revenue of either of those Colonies. It is therefore necessary to turn to other topics which it might be painful, and must be now unprofitable to discuss, Lord Grey is constrained by the reasons I have mentioned, to conclude, that no fund exists which could be assigned with a pension in your favour. I have, &c.,

B. HAWES.

To John Walpole Willis, Esq.,

Downing-street, 17th October, 1846.

Sir,—In my Despatch, No. 37, of the 3rd instant, I transmitted to you a copy of an Order in Council regarding the case of Mr. John Walpole Willis, together with an Order in Council by which Mr. Willis was appointed to Mr. Willis as Puisne Judge of New South Wales, and as Resident Judge at Port Phillip.

In the correspondence with Mr. Willis, which has since taken place, it has been informed that you would be directed to instruct the Colonial Treasurer to pay to him, or to his order, the full salary of his office, computed from the date of the latest payment to him, and that you would be directed to the date of the Warrant for revoking Mr. Willis's Commission.

You will accordingly give the necessary directions for that payment. It will be made from the Civil List, and is authorized by the Constitutional Act, under schedule A. As the Queen in Council has reversed the order of the Local Government, moving Mr. Willis, he has clearly a valid claim to his full salary until the date of the Warrant revoking his Commission. I am, &c.,

GREY.

Governor Sir Charles A. Fitz Roy,  
Esq., &c., &c.

**LAW INTELLIGENCE**

**SUPREME COURT.—MONDAY.**

[illegible]

...them were called several witnesses; one de-  
posed from the scaffold that he was  
ordered to fight the prisoner, and that he  
was by persons standing by; another that while  
on the ground the knife was held by two hands;  
and his employer said that he was a quiet,  
peaceable man, and that he was at the time  
he expected to wear a knife Court the person.  
His Honor shortly put the case to the Jury,  
to consider in the first place whether the pris-  
oner stabbed Gray or not; and, secondly, if  
he did stab him, whether it was done with  
so acted with an intention to inflict some  
grievous bodily harm; as, if satisfied on the  
first point, and not on the second, they were at  
liberty to return a verdict of guilty of a com-  
mon assault.

The Jury retired to consider their verdict.  
On their return they pronounced the prisoner  
not guilty, and he was discharged.

ROBERT STRALING.

*Robert Skewton* was indicted for stealing a  
mare, the property of Richard Ritchie.

It appeared that about twelve months ago  
the prosecutor lost from a paddock five horses,  
among which was a black mare, with an ille-  
gal tail, a hollow place in front of shoulder  
large enough to admit a man's  
fit, and a small white star in the forehead.  
Mr. Francis, an innkeeper residing on the Par-  
ramatta road, near the College, had been  
observed a black mare, branded W on neck, from  
a man named Wright, in the presence of one  
Henry Mason; and Wright he had not seen  
since. Mr. Francis, in the present; Wright said he  
could get the mare from the City of Sydney. About a fort-  
night after the purchase Francis met the pri-  
soner on the road, and told him he had pur-  
chased from Wright a black mare, branded W  
on neck, brought out from the City of Sydney. If she  
were in fact, to which prisoner replied that she  
was. A short time subsequent to this, the  
mare was claimed by Mr. Ritchie, as his prop-  
erty, and the prisoner was committed to take  
his trial.

Mr. WINDYER conducted the defence. The  
mare in question being outside the Court, the  
witnesses examined her, and the prosecutor  
deposed to its being the black mare he had  
lost, and brought out the evidence to show that  
it was clear away the hair, the Jury were satisfied  
Mr. Ritchie's brand had not been there, but a  
distinct W alone.

But the Jury could not trouble Mr. Windyer  
to address them on the subject. His Honor  
to address them, and acquitted the prisoner, and he  
was discharged.

The Court then adjourned.

**DOMESTIC INTELLIGENCE.**

**INSOLVENCY PROCEEDINGS.**

THERE were no meetings held yesterday.

MEETING FOR TO-DAY.

Henry Cook-horn Milne Ximenes, an adjudged  
single A. C., will meet to-day at 10 o'clock, at  
S. A. Bryant, a third meeting, at half-pas-  
ten.

Jane Casey, an adjudged single meeting, at  
Francis Ellard, a special meeting, at two.

**IMPORTANT AUCTIONEER'S CASE.**

ELLISON S. LYONS.

This case was heard before Mr. Windyer  
yesterday morning, when it appeared that it  
was brought out by the law promulgated by the  
Court on information preferred by William El-  
lison, as clerk and lessee of the Hay and Corn  
Market, against Mr. Samuel Lyons, auctioneer,  
for a breach of the 26th section of the by-laws  
of the City of Sydney, Campbell-street, under the  
authority of H.M. Government, and as defend-  
ant the City of Sydney.

The 26th section of these regulations is as fol-  
lows: "If any person shall publicly sell  
or expose for sale, or for lease, or for hire,  
Sydney, except in the market, any number of  
horses, neat cattle, sheep, goats, or swine; or  
shall sell, or expose for sale, in any part of the  
City, except in the market, or in the house,  
shop, or premises of the party so selling, any  
quantity of wheat, barley, oats, rye, peas,  
maize, or other grain, or any hay, straw, grass,  
or other green fodder, he or she shall for every  
breach thereof forfeit and pay to the City not more  
than five pounds."

The information charged that the defendant  
sold on the 11th February last certain horses  
by public auction in the Dock-yard; and it  
was alleged that the application of water to the  
said horses was so done, under the  
authority of H.M. Government, and as defend-  
ant the Queen.

The CITY SOLICITOR appeared for the plaintiff,  
and contended that the Queen was  
the owner of the Dock-yard, and that the City  
Corporation; and that the said defendant  
was not liable. He further submitted that  
there was no "market" overt in this colony, and  
that it was not incumbent upon any person to sell  
or expose for sale, or for lease, or for hire, had  
been determined by the Supreme Court.

The CITY SOLICITOR, in reply, contended  
that a licensed auctioneer, selling on commis-  
sion, no matter for whom, the party selling was  
made in breach of the by-law; it had been  
made in breach of the by-law; it had been  
which Her Majesty had assented, and it was  
passed upon an old Act of Council for regulating  
the Markets, and Governor Bourke's procla-  
mation establishing them. It was  
held that people who sold in the market,  
the greatest facility would be given for the sale  
of stolen horses and cattle, and the streets  
would next be the arena in which the auc-  
tioneer would practice their operations, to the  
inconvenience and danger of the citizens; or  
perhaps the Dock-yard might be turned into  
private market, and all the laws thus be  
evaded.

Mr. WINDYER said the case was one of conside-  
rable importance, and he would consider  
the matter and give his judgment in a week—  
he remembered that he had some conversation  
with Sir Francis Forbes as to the necessity  
of creating a market overt in this colony, and  
he thought the authorities had put the question  
established in consequence, and that they must  
not be considered as a market overt. It was  
a question of importance to the citizens and  
auctioneers, and he would take time to con-  
sider it.

Mr. NICHOLS suggested that if His Worship  
dismissed the case his client would be without  
remedy, whereas if the defendant was his officer,  
the Crown, in protection of its officers, might  
be application of the Attorney-General, when  
the whole matter would be brought before the  
Supreme Court, and there properly argued and  
settled at rest.

A few minutes afternoon Mr. WINDYER, after  
stating that he had given the case all the en-  
dorsement he could, said he had looked through  
the Acts bearing on the subject, and found that  
Her Majesty's rights were fully reserved in all  
things; therefore, he said, he would advise his  
client to discontinue the proceedings, and to  
discontinue the Dock-yard without paying dues was un-  
reasonable. He also found that she or her  
servants on her account, were at liberty to sell  
her in her market place referred to in these  
regulations, and that she or her servants are  
exempt from private parties or from agents  
selling for private parties.

The case was therefore dismissed.

Mr. NICHOLS remarked that His Worship's  
decision was satisfactory, and that the question  
of Her Majesty's immunity from paying auction  
dues at rest.

**ABSTRACT OF SALES BY AUCTION**

THIS DAY.

Mrs. J. G. CONNOR—At his Rooms, at 11  
o'clock, Ironmongry, Guns, Plated Ware,  
Trays, &c.

MR. CURRIE—At the Builders' Arms, cor-  
ner of Castlereagh and Liverpool streets,  
at 11 o'clock, Best Engine, Spirit Pump,  
Kegs, Counter, Measures, Looms, Fur-  
niture, &c.

MRS. A. LLOYD—On the premises, Horbury  
Terrace, at 11 o'clock, Household Furniture.

MR. CHARLES NEWTON—At his Rooms, at  
half-past ten o'clock, Stock of Blankets,  
Slops, Rags, Calicoes, &c.; at 11 o'clock,  
Furniture, &c.

MR. MORRIS—At the Stores of Messrs. Smith  
and Campbell, Campbell's Wharf, at 11  
o'clock, Groceries and Wines.

MR. STUBBS—At his Yards, Parramatta-street,  
at 7 o'clock p.m., Eat others.

**COUNTRY SALE.**

MR. D. DAVID—At the Salutation Inn, Goul-  
burn, June 8, Seed and Cottage Land in Brind-

## BIRTH

[illegible]

at daily cell

[illegible]

**THE COUNCIL** again addressed His Excellency, pointing out that such supply of water as Paramatta had before the erection of the Factory, Gaol, and Hospital, had since been entirely cut off, and being polluted through the drainage of the town, had been polluted through the drainage of the town into the river, and seeking of the Government, therefore, to have the sewerage altered, as it was merely just that the creator of the nuisance should be made to remove it. His object was to have the re-appointment of the Committee had just been read. His object was to have the re-appointment of the Committee was to address His Excellency again, and he believed means would be got put perhaps some other means, but he believed that the Government would be successful in this renewed application, it was merely doing its duty towards the townspeople, and while it was endeavouring to obtain such a boon as the supply of water, it was not to be wondered at that it should be made elsewhere that it was doing nothing.

Mr. BYRNES had much pleasure in seconding the motion, although he was desirous of having his name omitted from the Committee. He said that it was shown, that the water had been gone to in England, in affording to towns a supply of pure water—one of those great essentials of life, should and ought to urge on the Government to have it done. The recent sanitary Acts of the Imperial Government evidenced the importance attached to this matter.

Mr. SHEPHERD objected to the re-appointment of a Select Committee, and suggested that the Council should be asked to appoint one without any interference on the part of the District Council; for in fact what after all was the District Council?—a mere honorary, and would presently be defunct. Mr. NICHOLS said that he was willing to have fallen from the member from Kissing Point (Mr. Shepherd), considering that the Governor in his letter to the Council on this subject had said that he was not to be asked to support the Council's existence, but that he was to be delegated to it. In endeavouring to accomplish the work now in view, they were performing a work for all ages. Some millions had been sent to the colonies in the form of money into the town by a viaduct, some of which length. He cared not whether the Council had the disbursement of the money that he hoped would be voted, or whether it was left to others. He said that he was not going to say he would remark that the mere expenditure of the money in the town would do good for the largely years since subscribed to that colony, and that he enjoyed it, and it was only right that they should have a small portion of it back. Mr. Shepherd had talked of a nonentity; he (Mr. N.) would not attend to that. He said that he was not going to say Mr. S. if he was not going to go to the Charter had placed various other important charges under the Council's control. There was education for him. He was anxious to have the Council more fully carried out than it had been, and he said that he was not sure that if those who enacted District Council had not thought that it was possible for them to work and work well, they were worse than the Council. He said that he was not sure that he anticipated such would have been the case some time since, but there was no power in the colony could abolish the District Council, and so far as the Paramatta one had worked, here he was.

Mr. PYE could remove the nuisance complained of by the drainage from the Factory, &c., for £260 to £300, not thousands as Mr. Lewis had estimated.

Mr. HOWSON defended the Colonial Architect, and said that the estimate to be by no means a high one.

Mr. OAKES then briefly replied, and the resolution was carried.

Mr. HOVING, in the absence of Dr. Anderson, brought up the Report of the Committee on Works, relative to the cutting down of a hill, &c., in the town. The Report was read and adopted.

**STONEY ROAD—UNDERWOOD HILL, IRON-ROVE BRIDGE.**

Mr. NICHOLS gave notice, that he should next meeting of Council, move that the Surveyor be requested to prepare an estimate of the expense of cutting down the hill, &c., in Paramatta road called Underwood's hill, and metalling the same; and also an estimate of the expense of forming a dam at Iron-cove bridge.

The DISTRICT SURVEYOR handed in his usual report, by which it appeared the repairs on the Western Road were progressing satisfactorily.

The Council then went into Committee, and ordered the payment of salaries and accounts, amounting in all to £137.

**NATIONAL EDUCATION.**

After (the present being the first day of meeting since the late election) the several standing Committees on Works, Finance, By-laws, &c., were read.

Mr. BYRNES said, at an early period of the Council's existence, he had had the distinguished honour of moving several resolutions respecting education. There could be no doubt from the Charter, education was placed under the control of the Council. He had observed His Excellency was about to place on the estimates a sum of money for the purpose of trying the National System, acting under the impression that the Legislature had decided on the system, and wishing to see the system fairly tried, and believing that there was no part of the colony where so great facilities were afforded for the trial as Paramatta, he considered application ought to be made to the Government for a portion of this money. His own opinion was that the National System was the one which would best meet the exigencies of the community, but he could not see the intention of interfering with any system, and he had decided on Mr. B. then moved the appointment of a Committee on Education,—such Committee to consist of the Warden, Messrs. Nichols, Byrnes, Anderson, & Oakes, and Howson.

Mr. HOVING seconded the motion, and in view of his hearty concurrence with Mr. Byrnes, seconded the motion, which was carried unanimously.

The Council then adjourned till the 16th instant.

**MALACCA—THE LATE INQUEST OF THE LATE LIEUTENANT ALLEN.**

On Tuesday's issue of this journal, to the circumstance of the parties who were discharged at the time of the inquest having been apprehended in consequence of information relative to the inquest, and the fact that the inquest had been transpired. It may be remembered that at the inquest, a report of which appeared in the *Sydney Morning Herald* of the 25th ult., a verdict was returned by the Jury, "that the late Lieutenant Allen died of a fever, caused by accident, but there was no evidence before them to show how the accident occurred." At the inquest a report was made that a man in Mr. Hosking's employ, at Liverpool, had died of a fever, and had been in the fight in which he had met his death, been killed. As, however, at the time, this was a mere report of a rumour, and during a patient investigation, which occupied about six hours, it was found that the deceased had been in the least degree confirming this rumour, the Jury arrived at the verdict above given. The Chief Constable of Paramatta, however, promised that he would prosecute every possible inquiry respecting the matter, and that he was having in the fight been illuded; and he appears to have faithfully and zealously kept his promise, the result of such being the apprehension of the men, Mr. B. and Alexander Macarthur, Mr. O'Brien, and George Godfrey, who were held in custody at the inquest, and discharged in consequence of the verdict, and who were yesterday (Wednesday) before the Court. Two of the witnesses who gave evidence before the Coroner's inquest were examined, and their statements did not appear to vary from what they had previously deposed to, and there could not be a doubt that there had been a fight at first between O'Brien and Godfrey, which subsequently the other two prisoners, as well as the deceased, the two first in attempting to separate the combatants and the two who assisted his friend Godfrey, engaged, and a man named, who was the important testimony, however, was that of the party who as it was stated at the inquest had witnessed foul play, and whose deposition

before the Court was that at the time of the fight he was proceeding along the Liverpool Road, and observed the four prisoners and the deceased fighting, at which time the parties engaged were about 400 yards ahead of the Court, and he saw the deceased fighting "hand over head." As, however, he approached near to them they left off, but almost immediately afterwards the two Macarthur (Godfrey) and the deceased, again began fighting, and he saw the deceased strike the other supposed cessation of the fight had left them returned, and throwing off his jacket as he ran into the fight knocked down the deceased by a blow on his hat, and as soon as he fell the body of the deceased lay on the ground, and him on the side of the neck, from which time he was never seen to move again. Subsequently O'Brien attacked Godfrey, hit him a blow on his head, and afterwards was hit and got down, and the deceased then gave him some blows across the shoulders as he (Godfrey) was in the act of lifting the deceased, then within a few moments of his death, from the evidence of Dr. Brown, who attended at the inquest, and the request of a jury a *post mortem* examination of the body, was also taken. Dr. B. after particularising various appearances presented on the body of the deceased, and added there was a good deal of swelling on the right side of the neck. Just behind the right ear, on the *post mortem* examination of the head, great effusion of blood on the surface of the brain, was found, and the swelling on the right side of the neck was several coagula of blood. There had been the result of compression of the brain, and which compression had been the result of the effusion of blood, which had no doubt had its origin from the blow on the head, and there was some swelling, as well as discoloration on the neck; although discoloration might ensue after death; the swelling must have been the result of death, and caused by the internal force of the blood, and the opinion of the jury, based on the appearance of it, had been caused by a blow of some kind. The whole of the accused were committed by the Court on trial for manslaughter, but were allowed bail.

**ORIGINAL CORRESPONDENCE.**

*To the Editors of the Sydney Morning Herald.*

GENTLEMEN,—The frequent losses of bank cheques which occur in this colony, by robbing of mails and otherwise, and the consequent difficulties in which the banks and losers are placed, would be greatly relieved if the banks were able to bearer. I have seen the cheques payable to bearer, and the great distances from the London mode of guarding against these inconveniences is particularly applicable to the condition of this colony, where so many payments are made at great distances from the places where they are made.

In London the practice is for the receiver of a cheque to write across the face of it immediately the name of the bank where he keeps his account, and where he intends to pay in, and make it payable to order of the bank, and give notice to any person bringing the cheque to it to be presented for payment by that bank, and it would not be paid if presented for payment by any other holder, and so would be of great service to the bank, and to the person who had proper possession of it by indirect or improper means. This usage is considered in London of so much value to all parties, that when a large cheque is given it is usual for the bank to make it payable to order of the bank, and the receiver will pay it, and the cheque, which that name across the cheque before giving it, and so to restrict the currency of the cheque to that particular channel.

I remain, Gentlemen,  
Your very obedient servant,  
MERCATOR.  
Elizabethstreet, Sydney, June 1.

**ENGLISH EXTRACTS.**

THE MARRIAGE LAW IN PRUSSIA.—A suit of nullity of marriage, on the ground that the husband was a Jew and the wife a Christian, was decided a few days ago by the Tribunal of Königsberg, in Prussia. The parties, M. Falkenstein, a student of law, and M. Letenberg, a wealthy merchant, were affianced when the latter was of their respective parents, but not one of the ministers of the Lutheran Church, to which the young lady belonged, would consent to solemnize the marriage ceremony. An application was made to the Minister of the Interior, who refused to give his authorization, and the same fate attended an appeal to the King in Council. Upon these failures the parties, M. Falkenstein and M. Letenberg, retired according to the law, and were there married secretly in a village of the Kingdom, and then returned home and lived together as man and wife. The law officer of the Crown asserted the nullity of the marriage, on the ground that the husband was a Jew, and the incapacity of the parties to enter into a marriage with Prussian subjects of the Christian religion, he said, must be married by priests ordained in Prussia, and M. Falkenstein, being a Jew, had not been legally married. The trial of his own religion, as prescribed by the law, issued on the 11th of March, 1812.

M. Falkenstein, having obtained permission to plead his own cause, repaid with great ability the arguments of the Crown, and the marriage law of Prussia, which he urged, did not prevail when the party who was not a Christian consented willingly to be bound by the Jewish rites and ceremonies, as had been done in many cases. He then urged that if there were a rule adopted by all Jews, it precluded their marriage with Christians, it might be asserted, and with reason, that these cases were prohibited; but, as this was not the case, or, at least, not in Prussia, the Jews insured to all liberty of conscience, even if they had a right to interpret and profess his religion according to his own convictions.

When Jews contracted marriage with Christians, the law officer of the Crown inquired whether the principles of the Jewish religion were those of Judaism generally, but what was the conviction of those who wished to marry Christians, and were Christians. If they were convinced that they were Christians, and with the principles of their religion, it was understood then, submit to the laws of the Christians, then their marriages were permitted by the code itself. For himself, he said, he was not a Jew, and he would not marry explicitly declared (and again he repeated the declaration) that he was willing to submit and did submit, to the laws of the Christians on marriage. He then cited cases to show that the law of Prussia held good and valid in Prussia. The Court having heard the advocate of the wife, and the law officer of the Crown in reply, delivered the judgment. On the one hand, considering that although, on the one hand, the civil code does not admit of marriages between Christians and persons who, according to the principles of their religion, cannot submit to the laws of the Christians, and in such marriages, the Public Minister govern Christian marriages, the law officer of the Crown, on the other hand, proved that the Israelites form part of that class of persons designated by the code as not being able to submit to the said laws; the Jews do belong to that class, and that in all cases of doubt it is right to adopt the mildest interpretation—in *rebus dubiis, interpretatio benignior*; therefore the tribunal dismisses the suit, and the law officer of the Crown issued a declaration that the marriage between Falkenstein and his wife is null and void.

—*Golgnim's Messenger.*

CALCULATED CHEMISTS.—Scheele, the rival of Lavoisier and Priestley, was one of the founders of modern chemistry, and the discoverer of a larger number of elements and substances than any one before or since, a man of whom his patron, Bergmann, himself one of the most profound chemists of his time, said, "Scheele was the greatest chemist of his age, the discoverer of his Scheele." Scheele was the shop boy, the druggist, of a village apothecary; Faraday was a bookbinder's apprentice; Dumas, the first chemist in France, rose from a student in a law office, and was afterwards the leader of the German chemists, was the son of a small tradesman in Darmstadt. It is further comment needed to show how little money, or power, or position, are wanted to achieve triumsphs that will endure when all worldly aids like those shall have passed away.—*Inaugural Lecture by W. A. Miller, M.D., F.R.S., F.R.C., King's College.*

## ORIGINAL CORRESPONDENCE

To the Editors of the Sydney Morning Herald.

GENTLEMEN,—The frequent losses of bank cheques which occur in this colony, by robbing of mails and otherwise, and the consequent difficulties in which the banks and losers are placed, especially when the cheques are payable to order, have suggested to me that the London mode of making them against the casher's receipts is particularly applicable to the condition of this colony, where so many payments are made by cheques, at great distances from the places where they are payable.

In London the practice is for the receiver of the cheque to write across the face of it immediately after it is received, the name of the casher's account, and where he intends to go in to make the cheque for collection. This is considered notice to any person bringing the cheque, that it is to be presented for payment by that bank, and that it would not be paid if presented for payment by any other holder, and so would be of no use in the hands of any person who might have got possession of it by indirect or improper means. This usage is considered in London of so much value to all parties, that when a large cheque is given it is usual for those who receive it to go to the bank immediately, in which the receiver will pay it, and to write that name across the cheque before giving it, and so to restrict the currency of the cheque to that particular channel.

I remain, Gentlemen,  
Your very obedient servant,  
J. MERCATOR.

Elizabeth-street, Sydney, June 1.

## ENGLISH EXTRACTS

[illegible]



